

**IN THE U.S. PATENT AND TRADEMARK OFFICE**

In re application of: Mathias BISCHOFF et al.

Appl. No.: (unassigned) Group:  
Filed: January 7, 2002 Examiner:  
For: DEVICE AND METHOD  
FOR RESTORING CONNECTIONS  
IN AUTOMATICALLY SWITCHABLE  
OPTICAL NETWORKS

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents January 7, 2002  
Washington, DC 20231

Sir:

The following preliminary amendments and remarks  
are respectfully submitted in connection with the above-  
identified application.

**IN THE CLAIMS:**

Please amend the claims as follows:

3. (amended) The optical communication network  
(8) as claimed in claim 1, in which the distance between the  
fourth network node device (3) and the second network node  
device (6) is additionally taken into consideration in the  
determination as to whether the fourth network node device  
(2) is responsible for setting up the second data link or  
not.--

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--4. (amended) The optical communication network (8) as claimed in claim 1, in which the distance between the fourth and the third network node device (2, 3) is additionally taken into consideration in the determination as to whether the fourth network node device (2) is responsible for setting up the second data link or not.--

--6. (amended) The optical communication network (8) as claimed in claim 1, in which one of the network node devices (2, 3, 4) which is located on the path, used by the first data link, from the fault location in the direction of the network node device (1) which has set up the first data link, is responsible for setting up the second data link.--

--7. (amended) The optical communication network (8) as claimed in claim 1, in which one of the network node devices (5) which is located on the path, used by the first data link, from the fault location in the direction of the destination network node device (6) of the first data link, is responsible for setting up the second data link.--

--8. (amended) The optical communication network (8) as claimed in claim 1, in which the parameter (NRR) determined by the third network node device (3) or a further

parameter (n) transmitted to the fourth network node device (2) contains information on whether the third network node device (3) has received a further signaling signal (S31), corresponding to the signaling signal (S32), from a further network node device (4) connected to the third network node device (3).--

--13. (amended) The optical communication network (20) as claimed in claim 11, in which the distance between the fourth network node device (2) and a further network node device, particularly the first and/or second network node device (6), is taken into consideration in the Bernoulli experiment.--

--14. (amended) The optical communication network (20) as claimed in claim 1, in which the second data link extends wholly or partially via a different undisturbed path from the first data link.--

--15. (amended) A network node device (2) which is designed and established in such a manner that it can be used as fourth network node device (2) in an optical communication network (20) as claimed in claim 1.--

--16. (amended) The network node device (3) which is designed and established in such a manner that it can be used as third network node device (3) in an optical communication network (20) as claimed in claim 1.--

REMARKS

Claims 1-17 are pending in the present application.

Entry of the above amendments is earnestly solicited. An early and favorable first action on the merits is earnestly requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

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BC/lmt  
Attachments

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims have been amended as follows:

3. (amended) The optical communication network (8) as claimed in ~~one of the preceding claims,~~ claim 1, in which the distance between the fourth network node device (3) and the second network node device (6) is additionally taken into consideration in the determination as to whether the fourth network node device (2) is responsible for setting up the second data link or not.--

--4. (amended) The optical communication network (8) as claimed in ~~one of the preceding claims,~~ claim 1, in which the distance between the fourth and the third network node device (2, 3) is additionally taken into consideration in the determination as to whether the fourth network node device (2) is responsible for setting up the second data link or not.--

--6. (amended) The optical communication network (8) as claimed in ~~one of the preceding claims,~~ claim 1, in which one of the network node devices (2, 3, 4) which is located on the path, used by the first data link, from the fault location in the direction of the network node device (1)

which has set up the first data link, is responsible for setting up the second data link.--

--7. (amended) The optical communication network (8) as claimed in ~~one of claims 1 to 5~~, claim 1, in which one of the network node devices (5) which is located on the path, used by the first data link, from the fault location in the direction of the destination network node device (6) of the first data link, is responsible for setting up the second data link.--

--8. (amended) The optical communication network (8) as claimed in ~~one of the preceding claims~~, claim 1, in which the parameter (NRR) determined by the third network node device (3) or a further parameter (n) transmitted to the fourth network node device (2) contains information on whether the third network node device (3) has received a further signaling signal (S31), corresponding to the signaling signal (S32), from a further network node device (4) connected to the third network node device (3).--

--13. (amended) The optical communication network (20) as claimed in claim 11 ~~or 12~~, in which the distance between the fourth network node device (2) and a further network node device, particularly the first and/or second network node

device (6), is taken into consideration in the Bernoulli experiment.--

--14. (amended) The optical communication network (20) as claimed in ~~one of the preceding claims,~~ claim 1, in which the second data link extends wholly or partially via a different undisturbed path from the first data link.--

--15. (amended) A network node device (2) which is designed and established in such a manner that it can be used as fourth network node device (2) in an optical communication network (20) as claimed in ~~one of~~ claim 1.--  
~~claims 1 to 14.--~~

--16. (amended) The network node device (3) which is designed and established in such a manner that it can be used as third network node device (3) in an optical communication network (20) as claimed in ~~one of~~ claim 1.--  
~~claims 1 to 14.--~~